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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,258	02/12/2004	David A. Torrey	AEC-0003	5415
23550	7590	06/12/2006	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC			STERRETT, JEFFREY L	
75 STATE STREET			ART UNIT	
14TH FLOOR			PAPER NUMBER	
ALBANY, NY 12207			2838	

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/777,258

Applicant(s)

TORREY ET AL.

Examiner

Jeffrey L. Sterrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1. The title of the invention remains not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Welches (US 6,404,655).

Welches discloses an inverter system comprising an AC utility (60); a DC source (15); a DC/DC converter (30) coupled to the DC source synthesizing a time varying current (either the current through the transformer 25 or the DC from bridge rectifier 20 that has a ripple/harmonic components that requires filtering by LC filter L1/L2/C3/C4) from the DC source and comprising a full bridge MOSFET inverter (MOS1-MOS4 with inherent parasitic diodes and capacitors), an isolation transformer (25 with inherent parasitic inductances), and a rectifier (20); an output smoothing inductor (L1 and/or L2) coupled to the output of the DC/DC converter; and a full bridge inverter (40) coupled between the output inductor and the AC utility comprising switches (Q1-Q6).

4. Applicant's arguments filed May 3, 2006 have been fully considered but they are not persuasive.

In response to the comments regarding the issue of "synthesizing a time varying current", Welches discloses an inverter system as broadly recited by the claims as noted above. As the claims currently set forth the DC/DC converter merely needs to synthesize a time varying current without where the synthesized time varying current is located within the recited circuitry specified. Thus with the broadest reasonable

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interpretation of the current claim language Welches clearly meets the disputed claim limitation "synthesizing a time varying current" since the current through the transformer 25 by necessity has to be time varying because by their very nature transformers act only on time varying currents (alternating current or chopped DC current) or alternatively the DC from bridge rectifier 20 that has ripple/harmonic components (any and all unfiltered rectified AC by its very nature always has some artifacts from the original AC) that requires filtering by a LC filter (L1, L2, C3, and C4). It is further noted that even after filtering that the DC provided to inverter 40 by definition would still be considered to be time varying since even the most perfect filtering system allows some artifacts from the original AC through and thus probably by definition the only truly non-time varying DC is supplied by a DC source such as a battery.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

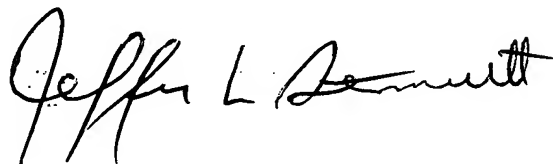
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey L. Sterrett whose telephone number is (571) 272-2085. The examiner can normally be reached on Monday-Thursday & 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl D. Easthom can be reached on (571) 272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeffrey L. Sterrett
Primary Examiner
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A handwritten signature in black ink, appearing to read "Jeffrey L. Sterrett", with a stylized flourish at the end.